

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No. 10-195 (JNE/JJK)

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, ) ) PRELIMINARY ORDER  
 v. ) ) OF FORFEITURE  
 )  
 1. RICHARD A. SAND, ) )  
 )  
 Defendant. ) )

Based on the United States' motion for a Preliminary Order of Forfeiture; on the Plea Agreement entered into between the United States and Defendant Richard A. Sand; on the Court having found that certain property is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C), in conjunction with 28 U.S.C. § 2461(c), and pursuant 18 U.S.C. § 982(a)(1); and on the Court's determination that, based on the Plea Agreement entered into by the defendant and based on all of the files and records of this proceeding, the government has established the requisite nexus between such property and the offenses to which the defendant has pled guilty,

IT IS HEREBY ORDERED that:

1. The motion of the United States for a preliminary order of forfeiture is GRANTED;
2. The following real property is forfeited to the United States pursuant to 18 U.S.C. § 981(a)(1)(C), in conjunction with 28 U.S.C. § 2461(c), and pursuant 18 U.S.C. § 982(a)(1): the real property located at 168 Nina Street, St. Paul, Minnesota (Parcel

No. 01.28.23.12.0291), Certificate of Title No. 389565, and legally described as:

That part of Lot 8, Auditors Subdivision No. 52, Ramsey County, Minnesota, lying Southerly of the following described line: commencing at the Northwest corner of said Lot 8; thence south 0 degrees 03 minutes 23 seconds East, bearing assumed, along the Westerly line of said Lot 8, a distance of 28.75 feet to the point of beginning: thence North 89 degrees 25 minutes 30 seconds East, a distance of 90.27 feet; thence South 0 degrees 31 minutes 30 seconds East, a distance of 1.91 feet; thence North 89 degrees 28 minutes 30 seconds East, a distance of 6.75 feet to the Easterly line of said Lot 8 and there terminating, Ramsey County, Minnesota, Abstract Property. AND Tracts B and F, Registered Land Survey No. 345 Files of Register of Titles, County of Ramsey, Minnesota;

3. The United States may seize the foregoing property and maintain custody and control of the property pending the entry of a Final Order of Forfeiture;

4. The United States shall, pursuant to 21 U.S.C. § 853(n)(1), as incorporated by 18 U.S.C. § 982(b)(1) and by 28 U.S.C. § 2461(c), publish and give notice of this Order and its intent to dispose of the foregoing property in such manner as the Secretary of the Treasury may direct;

5. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing, and shall be made a part of the sentence and included in the judgment;

6. Following the Court's disposition of all petitions filed pursuant to 21 U.S.C. § 853(n)(2) or, if no petitions are filed, following the expiration of the time period specified within which

to file such petitions, the United States shall have clear title to the foregoing property and may warrant good title to any subsequent purchaser or transferee; and

7. This Court shall retain jurisdiction to enforce this Order, and to amend it as necessary pursuant to Fed. R. Crim. P. 32.2(e).

Dated: 4-15-2011

s/ Joan N. Erickson

Joan N. Erickson, Judge

United States District Court